

REMARKS

Claims 5, 10, and 31 presently appear in this case. No claims have been allowed. The Official Action of January 24, 2001, has been carefully studied. Reconsideration and allowance are respectfully urged.

Claim 5 has been amended to recite that the plant material is fresh. Support for this amendment can be found in the specification as filed at pages 13 to 16 (Experiment 1, particularly at page 14, line 1), at page 29, Example B-1, pages 30-32, Example B-11. The subject matter of claims 27 and 28 are incorporated into claim 5, and claims 9 and 27-30 are cancelled. Claim 6 has been rewritten as claim 31.

Specification

The title of the invention is said not to be descriptive. Accordingly, the present amendment provides a new title.

Rejections under 35 U.S.C. 112

Claim 28 is rejected under 35 U.S.C. 112, second paragraph, for reciting "cyclodextran" rather than "cyclodextrin."

As claim 28 has now been cancelled, this rejection is now moot.

Art Rejections

Claims 5-6, 9-10, 27, and 29-30 are again rejected as being unpatentable over Maruta et al. as supported by Cardona. The Examiner alleges that Maruta makes obvious a

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method for inhibiting the decrease of naturally-occurring active-oxygen eliminating activity by adding trehalose to a plant in juicy form in an aqueous system. Maruta is said to teach that pullulan can be added to the compositions comprising plant substances with antioxidants and trehalose. Maruta is said to teach that both trehalose and pullulan can be "kneaded" with plant materials in an aqueous system, and that trehalose and pullulan are mixed to homogeneity before addition to the aqueous plant system.

This rejection is respectfully traversed. In alleging that Maruta teaches that both trehalose and pullulan can be kneaded with plant material in an aqueous system, and that trehalose and pullulan are mixed to homogeneity before addition to the aqueous plant system (tea and water), the Examiner cited column 33, lines 18-25. However, Maruta discloses at column 33, lines 18-25, that rice powder, corn starch, sucrose powdery hydrous crystalline trehalose and pullulan were mixed and then kneaded with matcha (green tea) and water. It should be noted that the plant materials used in the passage cited by the Examiner are rice powder and matcha, both of which are powdery substances (matcha is powdery green tea). These are certainly not fresh plant materials.

In contrast thereto, claim 5 as amended relates to a method for inhibiting the decrease of naturally-occurring active-oxygen-eliminating activity in a fresh plant, and

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incorporates homogeneously, in an aqueous system, an inhibitory agent into said fresh plant or an edible part of said fresh plant. This process is quite different from that of Maruta et al in which powdery substances are used.

The Examiner alleges that Maruta et al, teach a column 32, lines 44-60, that pullulan can be added to compositions comprising plant substances with antioxidants and trehalose. However, in this section Maruta et al. merely mix a powdered orange juice, a high trehalose content powder, and pullulan. It is clear that the system in this section of Maruta et al. is not an aqueous system.

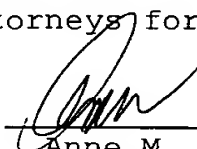
As noted above, Maruta et al. never teach a method for inhibiting the decrease of naturally-occurring active oxygen eliminating activity by incorporating trehalose into fresh plant material in an aqueous system. Reconsideration and withdrawal of the rejections are respectfully requested.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

Respectfully submitted,

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"Version with markings to show changes"

5. (Sixth Amendment) A method for inhibiting the decrease of naturally occurring active-oxygen-eliminating activity in a fresh plant when the fresh plant is sliced or disrupted, or when an edible part of the fresh plant is disrupted, which comprises a step of

incorporating homogeneously, in an aqueous system, an inhibitory agent into said fresh plant or an edible part of said fresh plant which ~~is in a juicy form~~ and has an active-oxygen-eliminating activity, said inhibitory agent comprising an amount effective of trehalose ~~and pullulan~~, and optionally at least one member selected from the group consisting of pullulan and cyclodextrin, for said inhibition, and said inhibitory agent contains at least about 20 w/w% trehalose on a dry solid basis.